

HOUSE No. 3404

The Commonwealth of Massachusetts

PRESENTED BY:

David B. Sullivan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act protecting graves of veterans.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
David B. Sullivan	6th Bristol
Todd M. Smola	1st Hampden
Stephen L. DiNatale	3rd Worcester
Bruce E. Tarr	First Essex and Middlesex
Christine E. Canavan	10th Plymouth
John P. Fresolo	16th Worcester
James E. Timilty	Bristol and Norfolk
Anne M. Gobi	5th Worcester
Colleen M. Garry	36th Middlesex
Stephen M. Brewer	Worcester, Hampden, Hampshire and Franklin
John W. Scibak	2nd Hampshire
Allen J. McCarthy	7th Plymouth
Richard J. Ross	9th Norfolk
Denise Provost	27th Middlesex
Walter F. Timilty	7th Norfolk
Paul McMurtry	11th Norfolk
Thomas M. Stanley	9th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3727 OF .]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT PROTECTING GRAVES OF VETERANS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: Chapter 115 of the General Laws, as appearing in the 2006 Official Edition, is hereby
2 amended by inserting after section 9 the following section:-

3 Section 9A. The holder of a burial easement pertaining to the grave of Veteran shall have the right to
4 place and maintain upon such grave a Veteran's grave marker or metal plaque, and a flag of the United
5 States of America.

6 Whenever any person, including a municipality or other subdivision of the commonwealth, a church, a
7 religious or charitable society, a cemetery corporation, and a cemetery association or organization,
8 whether or not acting under the color of law, interferes with the exercise and enjoyment by any other
9 person or persons of the right described in paragraph (a) above, any person aggrieved thereby may bring a
10 civil action for injunctive or other appropriate equitable relief in order to protect the peaceable exercise or
11 enjoyment of the right secured.

12 The attorney general may bring such an action in the name of the commonwealth.

13 Said civil action may bring such an action shall be instituted either in the superior court for the county in
14 which the conduct complained of occurred, or in the superior court for the county in which the person
15 whose conduct complained of resides or has his principle place of business.

16 All national and state veterans cemeteries within the commonwealth shall be exempt from the provisions
17 of this section.